THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY
AND
THE HONOURABLE SRI JUSTICE C.V.NAGARJUNA REDDY

TAKEN UP WRIT PETITION NO.6822 OF 2007

Dated 23.5.2007

Between

Madhumadhi and another

…. petitioners

And

The Commissioner of Police,
Visakhapatnam and 3 others.

.. Respondents

THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY
AND
THE HONOURABLE SRI JUSTICE C.V.NAGARJUNA REDDY

TAKEN UP WRIT PETITION No.6822 of 2007

ORDER: (Per Sri BSSR.J)

This is a taken up writ petition on the basis of a petition dated 1.3.2007 sent by Madhumadhi, W/o late Venkatesh and Tamizh Selvi Venkatesh W/o late Venkatesh, residents of Bakthavakchala Naidu Street, 17th Cross, 8.A – A I Block, Bakthavakchala Nagar, Visakhapatnam. It is averred in the petition that two persons viz., Gurunanda of Guruji Ashram, Visakhapatnam and Chandrasekharan, S/o G.Durairaj, Mowbary's road, T.Nagar, Chennai have kidnapped them and confined them illegally in a

secret place and subjected them to drink a liquid (Medicare) making them to be under semi consciousness and obtained their signatures by force on many prepared documents. It is further averred in the petition that the said two persons detained them illegally for 45 days as on the date of sending the petition to the Honourable the Chief Justice.

One Varun Sindhu Kul Kaumudi, IPS, Commissioner of Police, Visakhapatnam, the 1st respondent herein, has filed the counter affidavit. It is stated in the counter affidavit that all the averments made in the petition have been verified and found to be incorrect. It is further stated in the counter affidavit that the address of the petitioners mentioned in their petition is not existing. For better appreciation, we may refer to paras 2 and 3 of the counter affidavit and they read as under;

> "2. I respectfully submit that after receipt of the communication about the filing of the Taken up Writ Petition, I immediately caused discreet enquiries into the allegations made in the petition sent by the petitioner to this Hon'ble Court. I respectfully submit that during the enquires caused by all the Station House Officers of Visakhapatnam City, it is revealed tha no such address as "Bakthavakchala Naidu Street, 17th cross, 8.A – A1 Block, Bakthavakchala Nagar" exists in the entire Visakhapatnam City. It is further informed by all the Station House Officers of Visakhapatnam City that the contents of the petition sent by the petitioners to this Hon'ble Court do not pertain to the jurisdiction of the police stations in the limits of the Visakhapatnam Police Commissionerate. The postal authorities have also stated that no such address as "Bakthavakchala Naidu Street, 17th cross, 8.A –A.1 Block,

> Bakthavakchala Nagar" is found in existence in the city of Visakhapatnam.
>
> I further respectfully submit that the matter of preserving the body of Ms.Vanmadhi, the daughter of the petitioner, for a couple of days, in a mortuary, during the last week of December, 2006 and the 1st week of January, 2007 as mentioned in para No.1 of the petition, was also got enquired into with the concerned authorities, at the King George Hospital, Visakhapatnam. The Assistant Professor, Forensic Medicine, Andhra Medical College, Visakhapatnam categorically denied the preservation of the body of anyone called Ms.Vanmadhi during the said period. The enquiry caused in the matter reveals that the subject matter does not pertain to Visakhapatnam City."

It is also averred in the counter affidavit that all the contents of the petition are blatantly lie.

The verification of the contents of the petition-complaint by the responsible officer of the cadre of Commissioner of Police clearly indicate that the allegations made therein are unfounded. Therefore, we are of the view that the petition is devoid of merits. Accordingly, the writ petition is dismissed.

B.SESHASAYANA REDDY,J

Dated 23.5.2007

C.V.NAGARJUNA REDDY,J

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